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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 EBER GENE RUTH,

12 Plaintiff,

13 v.

14 STATE OF CALIFORNIA, et al.,

15 Defendants.
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No. 1:22-cv-01166 JLT EPG (PC)

ORDER DISMISSING ACTION FOR
FAILURE TO PAY FILING FEE

(Doc. 5)

17 On October 25, 2022, the Court denied Plaintiff's application to proceed *in forma*
18 *pauperis* pursuant to 28 U.S.C. § 1915(g) and ordered Plaintiff to pay the filing fee within 30
19 days. (Doc. 5.) Plaintiff was also informed that if he failed to pay the filing fee, "this action will
20 be dismissed without prejudice and without further notice." (*Id.* at 2.) Despite this warning,
21 Plaintiff failed to pay the filing fee, and the time to do so has expired. Thus, the Court **ORDERS**:

- 22 1. This action is **DISMISSED** without prejudice.
23 2. The Clerk of Court is directed to close this case.
24

25 IT IS SO ORDERED.

26 Dated: **December 19, 2022**

27 
28 UNITED STATES DISTRICT JUDGE